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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY  
UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MANSOUR HEIDARI,  
Petitioner,  
v.  
DAN PACHOLKE,  
Respondent.

) CASE NO.: C07-2016MJP  
)  
)  
)  
) ORDER DENYING § 2254 PETITION  
)  
  


07-CV-02016-ORD

The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, respondent's answer, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, Petitioner's objections (Dkt. No. 14), and the balance of the record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation. The Court agrees with Magistrate Judge Theiler's conclusion that the state court reasonably determined that the strong evidence against Mr. Heidari outweighed any prejudice suffered from prosecutorial misconduct or ineffectiveness of counsel. Mr. Heidari's objections do not call Judge Theiler's recommendation on these matters into question.

(2) Petitioner's petition for a writ of habeas corpus (Dkt. No. 1) is DENIED and this action is dismissed with prejudice; and

01 (3) The Clerk is directed to send a copy of this Order to counsel of record and to  
02 Judge Theiler.

03 DATED this 13 day of June, 2008.

04   
05 MARSHA J. PECHMAN  
06 United States District Judge  
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